

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0297-COUNTY OF CLARK (AVIATION) ET. AL.:**

**AMENDED WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** modify residential adjacency standards; **2)** increase wall height; and **3)** modify street landscaping (no longer needed).

**DESIGN REVIEWS** for the following: **1)** alternative landscape plan; and **2)** single-family residential development on 7.11 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the north side of Pebble Road, 290 feet east of Durango Drive within Enterprise. JJ/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**

176-16-401-019; 176-16-401-026; 176-16-401-044

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Increase fill height to 5 feet where a maximum of 3 feet is allowed to be placed within 5 feet from a shared residential property line per Section 30.04.06F (a 66.7% increase).
- b. Allow side interior setbacks of 5 feet where development shall comply with the side or rear zoning district setbacks of the adjacent NPO-RNP lot along any shared lot lines per Section 30.04.06G.
2. Increase the height of a retaining wall to 5 feet where a maximum height of 3 feet is permitted per Section 30.04.03C (a 66.7% increase).
3. Eliminate a portion of street landscaping along Pebble Road where 1 large tree and 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D (no longer needed).

**DESIGN REVIEWS:**

1. Allow an alternative landscape plan consisting of medium trees provided for every 20 linear feet of street frontage (Pebble Road and Lisa Lane) where 1 large tree and 3 shrubs shall be provided every 30 linear feet of street frontage per Section 30.04.01D.
2. Single-family residential development.

**LAND USE PLAN:**

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 7.11
- Project Type: Single-family residential development
- Number of Lots: 30
- Density (du/ac): 4.20
- Minimum/Maximum Lot Size (square feet): 6,900 to 10,636
- Number of Stories: 2
- Building Height (feet): 26 to 30
- Square Feet: 3,983 to 4,321

#### Site Plans

The plans depict a proposed single-family residential development consisting of 30 lots on 7.11 acres with a density of 4.20 dwelling units per gross acre. The minimum and maximum lot sizes are 6,900 square feet to 10,636 square feet, respectively. Lots 20 through 28, located along the southeastern boundary of the subdivision and adjacent to a partially developed NPO-RNP, have a minimum lot size of 10,000 square feet. Furthermore, Lots 16 through 18 adjacent to Lisa Lane also measure 10,000 square feet in area. Access to the proposed development is granted via a 55 foot wide, north/south public street, Lisa Lane, that connects to a 43 foot wide, east/west private street, Avenue D. Avenue D connects to a 43 foot wide north/south private street, Street A, within the interior of the subdivision. Avenue D terminates as a stub street along the north portion of the subdivision, between Lots 15 and 16, and Avenue A terminates at the south portion of the site, between Lots 1 and 30. An easement measuring 40 feet in width that will be dedicated for utility, drainage, and emergency access purposes is located immediately south of Avenue A, adjacent to Pebble Road. East/west private streets, Avenue B and Avenue C, measuring 43 feet in width, extend from Avenue A and terminate as stub streets between Lots 27 and 28, and lots 20 and 21, respectively. Four foot wide sidewalks are located along the north side of Avenues B, C, and D and along the west side of Street A. Five foot wide detached sidewalks are proposed along Pebble Road and Lisa Lane. A waiver of development standards is requested to increase fill height to 5 feet along the southeast portion of the project site, in addition to the corresponding waiver to increase the height of a retaining wall to 5 feet. A waiver of development standards is also requested to allow side interior setbacks of 5 feet where development shall comply with the side zoning district setbacks of the adjacent NPO-RNP lots along any shared lot lines.

#### Landscaping

The applicant is requesting an alternative landscape plan consisting of medium trees provided for every 20 linear feet of street frontage (Pebble Road and Lisa Lane) where 1 large tree and 3 shrubs shall be provided every 30 linear feet of street frontage. The plans depict a 15 foot wide landscape area, including 5 foot wide detached sidewalks, located along Lisa Lane and Pebble Road. The street landscape area consists of medium trees, shrubs, and groundcover. A waiver of development standards is requested to eliminate a 40 foot wide portion of the required street landscaping along Pebble Road to accommodate an easement for utility, drainage, and emergency access purposes.

### Elevations

The plans depict 2 story model homes with a maximum height ranging between 26 feet to 30 feet. The proposed models consist of varying rooflines with pitched, concrete tile roof, stucco siding, decorative trim, stone veneer accents, and other architectural features including an optional patio cover or balcony.

### Floor Plans

The plans depict 2 story model homes with multiple floor plans ranging from 3,983 square feet to 4,321 square feet. The models feature multiple bedrooms, bathrooms, great room, kitchen, dining room, study, and nook. All models feature 3 car garages.

### Applicant's Justification

The applicant states the increase in retaining wall height is necessary to due to site development constraints, such as existing topography, existing perimeter roadways, and adjacent neighborhoods. Retaining walls up to 5 feet are needed to maintain historic drainage patterns while meeting minimum design criteria for street design, drainage, and utilities. The increased heights will fluctuate from a screen wall with no retaining wall to a screen wall with 5 feet of retaining wall around the perimeter of the site as needed. The increased fill height is requested due to design constraints while following historic drainage patterns for the site. The site flows from west to east and to meet the drainage pattern needs while maintaining minimum interior street slopes and minimum sewer design criteria, there is a need for certain portions of the site to require up to 5 feet of fill at the shared property line. The site is not being artificially raised for enhanced views. Due to the orientation of the site, there are 2 lots (27 and 28) where the side yard is adjacent to existing NPO-RNP neighborhood. Lot 27 and 28 are adjacent to the backyard of an existing lot and there is a small portion of lot 28 that is adjacent to the side yard of an existing lot, but no house structure will be adjacent to this area. The intent of the standard, in this case, is to provide separation from the existing homes and proposed development to preserve the RNP-NPO overlay areas. Even with the requested waiver, there is still a minimum of 30 feet total between the existing home and proposed homes which aligns with the intent of this standard. There is an existing 10 foot wide drainage channel on the east side of the shared project boundary that contributes to this 30 feet of separation and helps provide additional space between the houses. On Pebble Road, there is a proposed Las Vegas Valley Water District & Clark County Water Reclamation District drainage and emergency access easement. Landscaping is not permitted to be within these easements. This waiver is being requested to eliminate a portion of street landscaping along Pebble Road.

### **Surrounding Land Use**

|               | <b>Planned Land Use Category</b>                    | <b>Zoning District (Overlay)</b> | <b>Existing Land Use</b>                  |
|---------------|---|----------------------------------|---|
| North & South | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | RS5.2                            | Single-family residential                 |
| East          | Ranch Estate Neighborhood (up to 2 du/ac)           | RS20 (NPO-RNP)                   | Undeveloped & single-family residential t |

### Surrounding Land Use

|      | Planned Land Use Category                           | Zoning District (Overlay) | Existing Land Use   |
|------|---|---------------------------|---|
| West | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | RS5.2 & CG                | Single-family residential; convenience store with gas station; & restaurant with drive-thru |

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

### Related Applications

| Application Number | Request  |
|--------------------|--|
| ZC-24-0295         | A zone change request to reclassify the project site to RS5.2 zoning is a companion item on this agenda.             |
| TM-24-500062       | A tentative map for a 30 lot single-family residential subdivision on 7.11 acres is a companion item on this agenda. |
| VS-24-0296         | A vacation and abandonment for patent easements and right-of-way is a companion item on this agenda.                 |

### STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

### Analysis

#### Comprehensive Planning

##### Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

##### Waiver of Development Standards #1a

The intent of limiting the amount of fill in proximity to residential development is to minimize and mitigate the impact increased finished grade may have on adjacent property owners. The applicant indicates the increased fill height is necessary due to design constraints while following historic drainage patterns for the site. The increase to fill height predominantly occurs at the southeast corner of the site within the boundaries of Lot 28. Immediately to the east of Lot 28 are 2 developed lots with single-family residences set at a lower finished grade than the proposed development. Staff recognizes there may be design constraints for the project site; however, increasing the fill height up to 5 feet within 5 feet from the shared residential property line to the east may potentially impact the existing single-family residences. Therefore, staff recommends denial of this request.

### Waiver of Development Standards #1b

The intent of maintaining similar side or rear zoning district setbacks for lots adjacent to shared NPO-RNP lot lines is to mitigate the potential impact new residential development may have on existing single-family residences. Lots 21, 27 and 28, located along the southeast portion of the site, measure a minimum of 10,000 square feet in area and are located immediately adjacent to a partially developed NPO-RNP. Lots 27 and 28 are adjacent to 2 lots developed with single-family residences. Lot 21 is adjacent to an undeveloped 2.55 acre parcel zoned RS20. The 2 existing single-family residences, located along the southeast boundary of the site, are set back 38 feet and 107 feet, respectively, from the shared property line of the proposed development. Staff finds that if Lots 21 through 30, located at the southeast portion of the site, were reduced from 10 lots to 6 lots, the minimum lot area of 10,000 square feet, including the rear and interior side setbacks of 30 feet and 10 feet, respectively, could be maintained in accordance with the Rural Neighborhood Preservation NPO Transition requirements. Staff finds the site can be redesigned to eliminate this waiver request; therefore, recommends denial.

### Waiver of Development Standards #2

Staff recognizes the increase to the retaining wall height is necessary to accommodate the request to increase fill within the boundaries of the project site. However, since staff is not supporting waiver of development standards #1a, staff recommends denial of this request.

### Waiver of Development Standards #3

No longer needed.

### Design Reviews

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

### Design Review #1

An alternative landscape plan may be approved when the proposed landscape design does not meet Code requirements, but proposes innovative, high-quality alternatives that enhance the physical environment of the site and the surrounding area. The applicant is proposing 1 medium tree and 3 shrubs for every 20 linear feet of street frontage, in lieu of 1 large tree and 3 shrubs for every 30 linear feet of street frontage. Staff has no objection to the proposed alternative landscape plan as it should not impact the surrounding land uses or properties.

### Design Review #2

The layout and internal street network of the proposed subdivision is functional. A minimum of 2 architectural features are included on each façade of the single-family residences that include the following: 1) varying rooflines; 2) varying building materials; and 3) optional patios and balconies on the rear elevations. However, since staff is not supporting the waivers of development standards related to increased fill and retaining wall height; staff recommends denial of this request.

### **Staff Recommendation**

Approval of design review #1; denial of the waivers of development standards and design review #2.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

If approved:

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

#### **Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Lisa Lane and portion of an elbow/knuckle at the intersection of Lisa Lane and Torino Avenue.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

#### **Fire Prevention Bureau**

- No comment.

#### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0141-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval (add access ingress/egress at Pebble Road; Pebble Road and Lisa Lane to be developed to rural road standards; terrace retaining and decorative wall along Lisa Lane; and provide a 4 foot wide asphalt path along Pebble Road and Lisa Lane for pedestrian safety).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** RICHMOND AMERICAN HOMES

**CONTACT:** WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE., SUITE 100, LAS VEGAS, NV 89118